


FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>4398-387</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  <div style="font-size: 2em; font-weight: bold; text-align: center;">10/517342</div>
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/06334</b>	INTERNATIONAL FILING DATE <b>June 16, 2003</b>	PRIORITY DATE CLAIMED <b>June 14, 2002 June 26, 2002</b>
TITLE OF INVENTION <b>MASK PAD AND FOREHEAD PAD FOR A BREATHING MASK, A BREATHING MASK AND A MOULDING TOOL AND PROCESS FOR THE PRODUCTION OF THE MASK</b>		
APPLICANT(S) FOR DO/EO/US <p style="text-align: center;"><b>Bernd LANG, Achim BIENER, and Martin BECHTEL</b></p>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau)</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (31 pages specification, 44 claims &amp; abstract (1 page), 15 sheets drawings, 1 page Certificate of Translation).</li> <li>b. <input type="checkbox"/> of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).            b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (      page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> <li>10. See item 6.b. above.  <b>Items 11 To 20 below concern document(s) or information included:</b></li> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information. International Publication No. WO 03/105921 A2, Notification of the Recording of a Change (2 pages)</li> </ol>		

DT09 Rec'd PCT/PTO 09 DEC 2004

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.55) unknown <b>10/517342</b>				INTERNATIONAL APPLICATION NO. <b>PCT/EP0306334</b>		ATTORNEY'S DOCKET NUMBER <b>4398-387</b>		
21. <input checked="" type="checkbox"/> The following fees are submitted:						<b>CALCULATIONS</b> PTO USE ONLY		
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b> -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1110.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$950.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO..... \$790.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$750.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>						\$	1000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).						\$	0.00	
<b>CLAIMS</b>	<b>NUMBER FILED</b>		<b>NUMBER EXTRA</b>	<b>RATE</b>				
Total Claims	44	minus 20 =	24	X	\$50.00	\$	1200.00	
Independent Claims	9	minus 3 =	6	X	\$200.00		1200.00	
<b>MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</b>				\$360		\$	0.00	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$ /1 month; \$ /2 months; \$ /3 months)						\$	0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>						\$	3400.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							0.00	
<b>SUBTOTAL =</b>						\$	3400.00	
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).							0.00	
<b>TOTAL NATIONAL FEE =</b>						\$	3400.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property						\$	40.00	
Fee for Petition to Revive Unintentionally Abandoned Application (\$1370.00 - Small Entity = \$685.00)						\$	0.00	
<b>TOTAL FEES ENCLOSED =</b>						\$	3440.00	
						Amount to be:		
						refunded	\$	
						Charged	\$	
a. <input type="checkbox"/> A check in the amount of \$3440.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed. d. <input checked="" type="checkbox"/> <b>CREDIT CARD PAYMENT FORM ATTACHED.</b> e. <input checked="" type="checkbox"/> The entire content of the foreign application(s) referred to in this application is/are hereby incorporated by reference in this application. <b>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b> <b>CORRESPONDENCE ADDRESS</b> <b>Direct all correspondence to:</b>  <input checked="" type="checkbox"/> <b>Customer Number:</b> <span style="border: 1px solid black; padding: 5px; font-size: 1.2em;">23117</span> <div style="text-align: center; font-size: 0.8em;">Type Customer Number here</div>								
Telephone: (703) 816-4000 PTB:alb				<div style="text-align: center;">   <b>Paul C. Bowen</b>  NAME </div>				
				<div style="display: flex; justify-content: space-between;"> <span>38,009</span> <span>December 9, 2004</span> </div>				